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**FOLSOM SCHOOL TEACHER FACING FEDERAL
CHILD PORNOGRAPHY CHARGES**

SACRAMENTO--United States Attorney McGregor W. Scott, announced today that Scott Eric Gmitter, 33, of Folsom, California, was indicted yesterday by a federal grand jury of four counts of manufacturing child pornography between October 24, 2003 and November 22, 2003. The indictment further alleges in three additional counts that on or about November 14th and November 21st, Gmitter received images depicting minors engaged in sexually explicit conduct, and that on or about November 26, 2003, he possessed such images on his computer hard drive, and at least one CD Rom.

According to Assistant U.S. Attorney Laurel White, who is prosecuting the federal case, Gmitter is currently in custody in Sacramento County, where he faces state charges involving the sexual exploitation of children, including five separate counts charging him with lewd and lascivious acts with children under the age of 14. Prior to his arrest on state charges, Gmitter was a 4th grade teacher at Empire Oaks Elementary School, a part of the Folsom-Cordova school district.

Gmitter's arraignment on the federal charges has not yet been set. A no-bail federal warrant has been issued for his arrest.

If convicted of the federal charges, the penalty for each manufacturing count is a maximum of 30 years in prison, a \$250,000 fine, and five-year term of supervised release.

Gmitter faces a mandatory minimum sentence of 15 years in prison on the manufacturing counts. The possession charge carries a maximum penalty of 10 years in prison, a \$250,000 fine and a three-year term of supervised release, and the receipt charges carry a mandatory minimum of 5 years, to a maximum of 20 years in custody.

The charges are only allegations and the defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

This case was the product of a joint investigation by the Folsom Police Department, the Sacramento County District Attorney's Office, the Federal Bureau of Investigations, and the United State's Attorney's Office.

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